

1626
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

MAY 27 2003

	Application Number	09/868,961
	Filing Date	June 22, 2001
	First Named Inventor	Hassan JOMAA
	Group Art Unit	1626
	Examiner Name	D. Lambkin
	Attorney Docket Number	40770-000142/US

ENCLOSURES (check all that apply)

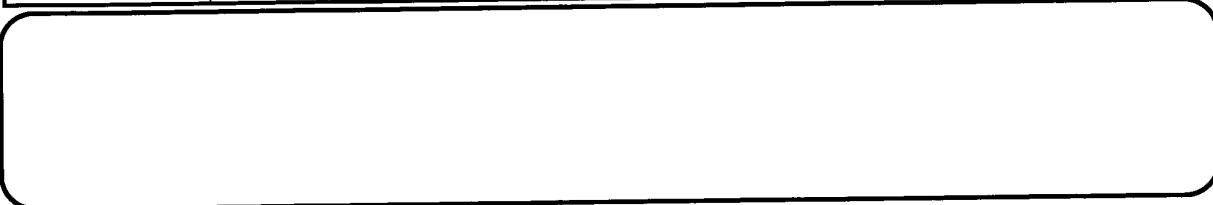
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Letter to the Official Draftsperson and () Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims) <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		RECEIVED

MAY 29 2003

TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.		Attorney Name Amy L. Miller	Reg. No. 43,804
Signature				
Date	May 27, 2003			



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FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 205.00)

Complete if Known

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Inventor(s)	Hassan JOMAA
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METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																														
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <input type="text" value="08-0750"/>				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>410</td><td>216</td><td>205 Extension for reply within second month</td><td>205</td></tr> <tr><td>117</td><td>930</td><td>217</td><td>465 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,450</td><td>218</td><td>725 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,970</td><td>228</td><td>985 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,300</td><td>241</td><td>650 Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1300</td><td>242</td><td>650 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>470</td><td>243</td><td>235 Design issue fee</td><td></td></tr> <tr><td>144</td><td>630</td><td>244</td><td>315 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>750</td><td>246</td><td>375 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>750</td><td>249</td><td>375 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>750</td><td>279</td><td>375 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$205.00)</td> </tr> </tbody></table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - 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*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Amy L. Miller	Registration No. Attorney/Agent)	43,804
Signature			Date May 27, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/868,961

Filing Date: June 22, 2001

Applicant: Hassan Jomaa

Group Art Unit: 1626

Examiner: D. Lambkin

Title: USE OF BISPHOSPHONATES FOR THE PREVENTION
AND TREATMENT OF INFECTIOUS PROCESSES

Attorney Docket: 40770-000142/US

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 27, 2003

AMENDMENT AND PETITION FOR EXTENSION OF TIME

Sir:

This Amendment is submitted in answer to the Office Action dated December 24, 2002, which set a three month period for response. Applicant hereby petitions under the provisions of 37 C.F.R. §1.136(a) for a two month extension of time for which to respond to the outstanding Office Action, thereby extending the date for response from March 24, 2003 to May 27, 2003 (May 24, 2003 being a Saturday, May 25, 2003 being a Sunday, and May 26, 2003 being a holiday within the District of Columbia). The fee as set forth in 37 C.F.R. §1.17(a) for such an extension of time is attached to this Amendment.

Amendments to the claims begin on page 2.

Remarks begin on page 10.